

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
NORTHEASTERN DIVISION**

GERARDO GARCIA MALDONADO,

Petitioner,

v.

UNITED STATES OF AMERICA,

Respondent.

}
}
}
}
}
}
}
}
}

Case No.: 5:07-CV-8028-RDP-HGD

DISMISSAL ORDER

On May 30, 2008, the magistrate judge's report and recommendation was entered and the parties were allowed therein eleven (11) days in which to file objections to the recommendations made by the magistrate judge. No objections have been filed by Petitioner or Respondent.

After careful consideration of the record in this case and the magistrate judge's report and recommendation, the court hereby **ADOPTS** the report of the magistrate judge. The court further **ACCEPTS** the recommendations of the magistrate judge and it is therefore **ORDERED**, **ADJUDGED** and **DECREED** that the Motion to Vacate, Set Aside or Correct Sentence, filed pursuant to 28 U.S.C. § 2255, is due to be and is **DENIED**.

DONE and **ORDERED** this ____ 1st ____ day of July, 2008.



R. DAVID PROCTOR
UNITED STATES DISTRICT JUDGE